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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/672,561      | 09/29/2003  | Gersh Korsinsky      |                     | 8839             |

7590 07/08/2005  
GERSH KORSINSKY  
APARTMENT 4B  
1236 49th STREET  
BROOKLYN, NY 11219



EXAMINER

PHILLIPS, CHARLES E

ART UNIT PAPER NUMBER

3751

DATE MAILED: 07/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.



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Notice of Non-Compliant Amendment (37 CFR 1.121)

The amendment document filed on 9-17-04 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121. In order for the amendment document to be compliant, correction of the following item(s) is required. Only the corrected section of the non-compliant amendment document must be resubmitted (in its entirety), e.g., the entire "Amendments to the claims" section of applicant's amendment document must be re-submitted. 37 CFR 1.121(h).

THE FOLLOWING CHECKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT. CHECKED (X) 1

- ☐ 1. Amendments to the specification:
- ☐ A. Amended paragraph(s) do not include markings.
  - ☐ B. New paragraph(s) should not be underlined.
  - ☐ C. Other \_\_\_\_\_
- ☐ 2. Abstract:
- ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
  - ☐ B. Other \_\_\_\_\_
- ☐ 3. Amendments to the drawings: \_\_\_\_\_
- ☐ 4. Amendments to the claims:
- ☐ A. A complete listing of all of the claims is not present.
  - ☐ B. The listing of claims does not include the text of all pending claims (including withdrawn claims).
  - ☐ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following 7 status identifiers: (Original), (Currently amended), (Canceled), (Withdrawn), (Previously presented), (New) and (Not entered).
  - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
  - ☐ E. Other: \_\_\_\_\_

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP Sec. 714 and the USPTO website at <http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/officeflyer.pdf>.

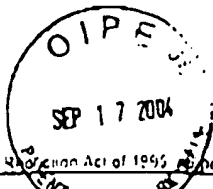
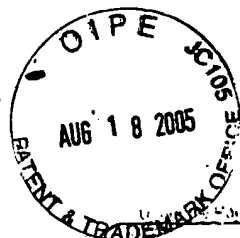
If the non-compliant amendment is a **PRELIMINARY AMENDMENT**, applicant is given **ONE MONTH** from the mail date of this letter to supply the corrected section which complies with 37 CFR 1.121. Failure to comply with 37 CFR 1.121 will result in non-entry of the preliminary amendment and examination on the merits will commence without consideration of the proposed changes in the preliminary amendment(s). This notice is not an action under 35 U.S.C. 132, and this **ONE MONTH** time limit is **not extendable**.

If the non-compliant amendment is a reply to a **NON-FINAL OFFICE ACTION** (including a submission for an RCE), and since the amendment appears to be a *bona fide* attempt to be a reply (37 CFR 1.135(c)), applicant is given a **TIME PERIOD** of **ONE MONTH** from the mailing of this notice within which to re-submit the corrected section which complies with 37 CFR 1.121 in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD ARE AVAILABLE UNDER 37 CFR 1.136(a).**

If the amendment is a reply to a **FINAL REJECTION**, this form may be an attachment to an Advisory Action. The period for response to a final rejection continues to run from the date set in the final rejection, and is not affected by the non-compliant status of the amendment.

Nicole Patterson Smith  
Legal Instruments Examiner (LIE)

571-272-4381  
Telephone No.



Approved for use through 04/30/2003 OMB 0651-0032  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE  
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# FEE TRANSMITTAL for FY 2003

Effective 01/01/2003 Patent fees are subject to annual revision

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 375

## Complete if Known

Application Number 10/672,561  
Filing Date 09/29/2003  
First Named Inventor Gersh Korsinsky  
Examiner Name Charles E. Phillips  
Art Unit 3751  
Attorney Docket No

## METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☐ Deposit Account:

Deposit  
Account  
Number  
Deposit  
Amount  
Date

The Depositor is authorized to: (check all that apply)

- ☐ Charge to the indicated below ☐ Credit any overpayments  
☐ Charge additional fee(s) during the pendency of this application  
☐ Withdrawal indicated below except for the filing fee to the non-identified deposit account

## FEE CALCULATION

### 1. BASIC FILING FEE

| Large Entity<br>Fee Code (\$) | Small Entity<br>Fee Code (\$) | Fee Description        | Fee Paid |
|-------------------------------|-------------------------------|------------------------|----------|
| 1001 100                      | 2001 375                      | Utility filing fee     | 375      |
| 2002 100                      | 2002 185                      | Design filing fee      |          |
| 3003 100                      | 3003 260                      | Plant filing fee       |          |
| 4004 100                      | 4004 375                      | Reissue filing fee     |          |
| 5005 100                      | 5005 80                       | Provisional filing fee |          |

SUBTOTAL (1) (\$) 375

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

| Large Entity<br>Fee Code (\$) | Small Entity<br>Fee Code (\$) | Fee Description                                     | Fee Paid |
|-------------------------------|-------------------------------|---|----------|
| 1200 100                      | 2200 100                      | Claims in excess of 20                              |          |
| 1201 100                      | 2201 100                      | Independent claims in excess of 3                   |          |
| 1202 100                      | 2202 100                      | Multiple dependent claims, if not paid              |          |
| 1203 100                      | 2203 100                      | Reissue independent claims over original patent     |          |
| 1204 100                      | 2204 100                      | Reissue claims in excess of 20 over original patent |          |

SUBTOTAL (2) (\$) 120.00

The subtotal must always plus if greater. For Reissue's, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity Small Entity

| Fee Code (\$) | Fee Code (\$) | Fee Description  | Fee Paid |
|---------------|---------------|--|----------|
| 1051 130      | 2051 65       | Surcharge - late filing fee or oath  |          |
| 1052 50       | 2052 25       | Surcharge - late provisional filing fee or cover sheet                     |          |
| 1053 130      | 2053 130      | Non-English specification  |          |
| 1812 2,520    | 1312 2,520    | For filing a request for ex parte reexamination                            |          |
| 1804 920      | 1804 920      | Requesting publication of SIR prior to Examiner action                     |          |
| 1905 1,840    | 1805 1,840    | Requesting publication of SIR after Examiner action                        |          |
| 1251 110      | 2251 55       | Extension for reply within first month                                     |          |
| 1252 410      | 2252 205      | Extension for reply within second month                                    |          |
| 1253 930      | 2253 465      | Extension for reply within third month                                     |          |
| 1254 1,450    | 2254 725      | Extension for reply within fourth month                                    |          |
| 1255 1,970    | 2255 985      | Extension for reply within fifth month                                     |          |
| 1401 320      | 2401 160      | Notice of Appeal   |          |
| 1402 320      | 2402 160      | Filing a brief in support of an appeal                                     |          |
| 1403 280      | 2403 140      | Request for oral hearing   |          |
| 1451 1,510    | 1451 1,510    | Petition to Institute a public use proceeding                              |          |
| 1452 113      | 2452 55       | Petition to revive - unintentional   |          |
| 1453 1,300    | 2453 650      | Petition to revive - unintentional   |          |
| 1501 1,300    | 2501 650      | Utility issue fee (or reissue)   |          |
| 1502 470      | 2502 235      | Design issue fee   |          |
| 1503 630      | 2503 315      | Plant issue fee  |          |
| 1600 130      | 1600 130      | Petitions to the Commissioner  |          |
| 1807 50       | 1807 50       | Processing fee under 37 CFR 1.17(a)  |          |
| 1803 180      | 1803 180      | Submission of Information Disclosure Sheet                                 |          |
| 0621 40       | 0621 40       | Recording each patent assignment per property (times number of properties) |          |
| 1609 750      | 2809 375      | Filing a submission after final rejection (37 CFR 1.129(a))                |          |
| 1810 750      | 2810 375      | For each additional invention to be examined (37 CFR 1.129(b))             |          |
| 1801 750      | 2801 375      | Request for Continued Examination (RCE)                                    |          |
| 1802 900      | 1802 900      | Request for expedited examination of a design application                  |          |

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 0

## SUBMITTER BY

Name GERSH KORSINSKY Registration No. 1718-435-1107  
Signature Date 09/19/2004

(Complete if applicable)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Persons are required to respond in a collection of information unless it displays a valid OMB control number. The information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. The collection is estimated to take 12 minutes to complete, including reviewing, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on this collection should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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